

ESTTA Tracking number: **ESTTA1070657**

Filing date: **07/27/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91233690
Party	Defendant Rusty Ralph Lemorande
Correspondence Address	RUSTY LEMORANDE 1245 NORTH CRESCENT HEIGHTS BLVD #B LOS ANGELES, CA 90046 UNITED STATES Primary Email: lemorande@gmail.com 323-309-6146
Submission	Other Motions/Papers
Filer's Name	Rusty Ralph H Lemorande
Filer's email	lemorande@gmail.com
Signature	/RH Lemorande/
Date	07/27/2020
Attachments	NOLD - Motion to Clarify Dates.pdf(217299 bytes )

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Opposer

V.

# RUSTY LEMORANDE

Applicant

Therefore, Applicant believes all actions in the current Opposition are currently tolled, and the trial time frames suspended.

1 Applicant now files this motion to 1) clarify its understanding of the consequence of the  
2 suspension, especially as to scheduling, and 2) point out that the filing of its Initial Disclosures is  
3 not intended as a waiver of Applicant's reliance on the suspension as to its effect on the  
4 scheduling of the trial period.

5 Applicant respectfully requests that the TTAB, upon the lifting of the suspension, restate the  
6 scheduling of all remaining matters in this opposition.

7 Sincerely,

8  
9 Respectfully submitted this 26<sup>th</sup> Day of July, 2020

10  
11 /Rusty Lemorande/

12 RUSTY LEMORANDE  
13 Applicant *In Pro Per*  
14 1245 NORTH CRESCENT HEIGHTS BLVD #B  
15 LOS ANGELES, CA 90046  
16 UNITED STATES  
17 lemorande@gmail.com  
18 Phone: 323-309-6146  
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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **MOTION TO CLARIFY TRIAL DATES** was served on Opposer’s counsel of record in the above-captioned proceedings on July 26<sup>th</sup>, 2020, via email correspondence addressed to attorney Cecelia Dickson, [CDickson@webblaw.com](mailto:CDickson@webblaw.com) and also to attorney Christopher Sherwin at [Csherwin@webblaw.com](mailto:Csherwin@webblaw.com)

/Rusty Lemorande/.  
Rusty Lemorande



R.H. Lemorande &lt;lemorande@gmail.com&gt;

**Cannot file**

3 messages

**R.H. Lemorande** <lemorande@gmail.com>

Sun, Apr 19, 2020 at 4:20 PM

To: "Cecilia R. Dickson" &lt;cdickson@webblaw.com&gt;, "Christopher P. Sherwin" &lt;csherwin@webblaw.com&gt;

Bcc: MyCaseEmails MyCaseEmails &lt;the-lemorande-company-qZYZTXG3fH@mycasemail.com&gt;

Hello:

It's curious but I've been unable to file the stipulation. Please see the attached screenshots.

One shows a claim that the filing number 91233690 is 'invalid'. I've tried multiple times over two days.

The second shows the current TTAB page for the opposition. You'll see it says 'suspended' at the top.

I've marked both in RED in the relevant sections.

Is it possible the TTAB suspended the matter due to the outstanding motion from 2/18/20 and has not filed its own office action on this matter?

I would appreciate any information you can provide.

I called the TTAB last week and left a voice message but haven't heard back yet. I'll try again tomorrow.

Thank you.

Rusty

--

RH Lemorande  
P.O. Box 46771  
LA, CA 90046  
tel: 323 309 6146

**2 attachments**

**Screen Shot 2020-04-19 at 4.09.14 PM.png**  
14K



**TTAB - Proceeding is INVALID.png**  
160K

**Christopher P. Sherwin** <CSherwin@webblaw.com>

Mon, Apr 20, 2020 at 10:34 AM

To: "R.H. Lemorande" &lt;lemorande@gmail.com&gt;, "Cecilia R. Dickson" &lt;CDickson@webblaw.com&gt;

Cc: "Gina M. Vadala" &lt;GVadala@webblaw.com&gt;

Hi Rusty:

We are not aware of any reason as to why you are having difficulties filing the stipulation. We assume, however, that you will be making your disclosures by the deadlines we discussed last week. We will await further notice from you once you hear back from the TTAB.

Chris

**Christopher P. Sherwin | Attorney at Law**

The Webb Law Firm

One Gateway Center | 420 Ft. Duquesne Blvd., Suite 1200 | Pittsburgh, PA 15222 | USA

P 412.471.8815 | F 412.471.4094 | CSherwin@webblaw.com

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**R.H. Lemorande** <lemorande@gmail.com>

Mon, Apr 20, 2020 at 12:10 PM

To: "Christopher P. Sherwin" <CSherwin@webblaw.com>

Cc: "Cecilia R. Dickson" <CDickson@webblaw.com>, "Gina M. Vadala" <GVadala@webblaw.com>

I was wondering if you all had a thought as to why it says the opposition is 'suspended'.

Thank you.

[Quoted text hidden]

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Sent from Gmail Mobile Tel 323 309 6146